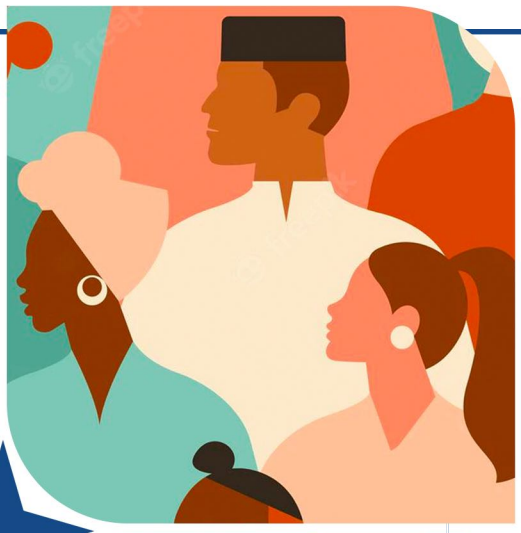

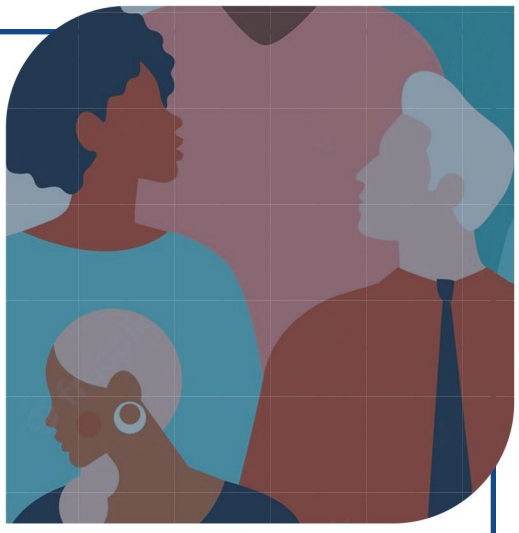

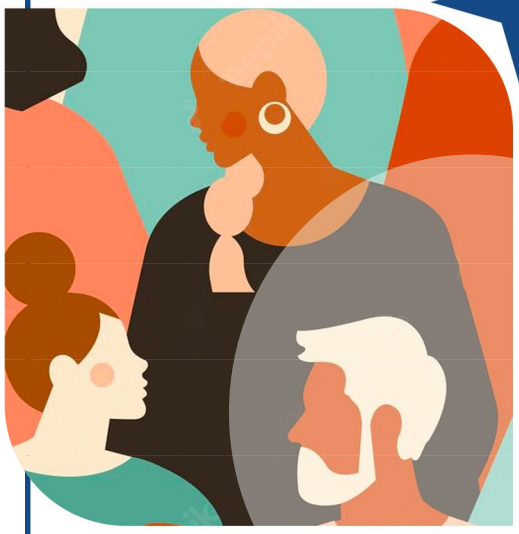

UN WOMEN
United Nations Entity for Gender Equality and the Empowerment of Women

5 GENDER EQUALITY

ARUBA
NATIONAL GENDER POLICY

GOVERNMENT OF ARUBA

CABINET WEVER-CROES II ■ MAY, 2022

ARUBA
NATIONAL GENDER POLICY

Government of Aruba
Prime Minister of Aruba, Mrs. Evelyn Wever-Croes
Sustainable Development Goals
Chair of the National SDG Commission at Government of Aruba, Mrs. Jocelyne Croes

@Aruba, May, 2022

FOREWORD

Gender equality is not only a fundamental human right, it is also a cornerstone of a thriving economy that provides sustainable and inclusive growth. Gender equality is essential for ensuring that all genders share responsibility and can contribute fully at home, at work and in public life for the betterment of society and for the socio-economic development of our island. Yet even though women have made many strides over the past decades, gender gaps remain in all areas of political, social and economic life in Aruba.

As Prime Minister of Aruba, I chose to leverage the fact that I was the first female Prime Minister and take action to advance gender equality and it is with great pride that I present to you the first Aruba Gender Policy. It is a call to action and an invitation for all to work together in a spirit of unity and collaboration to reach a more peaceful and prosperous Aruba.

In Aruba we have also seen the wellbeing and quality of life of women and girls improve over the last decades. Young women now even obtain more years of schooling than young men, but girls are much less likely to study in the most lucrative areas of science, technology engineering and mathematics. Women's labor force participation rates have moved closer to men's rates over time, but we still see less women likely to engage in paid work and rise in higher ranks especially in the hotel and service industry, which is our main economic pillar. Women also remain under representative in other business sectors and political leadership positions.

Aruba has been making progress in some key policy areas and this document strives to address policy areas where the gaps remain. It seeks to tackle persisting biases such as shared responsibility in caregiving to promote more equality and facilitate mother's labor market participation. Recognizing and measuring unpaid care will also be crucial towards this end. These behaviors can improve well-being of parents and set a good example for children, and over time lessen prevailing gender stereotypes. Bringing transparency in gender differentials in pay in companies, despite existing legislation barring this, as well as addressing gender segregation of fields of study, is imperative so that women can have the same opportunities on the labor market and increase economic productivity to create a stronger and more resilient and sustainable economy. Harassment and gender-based violence represents the worst manifestation of gender inequality. We need to better measure the situation by improving registration and further facilitate access to justice. This is crucial to achieve gender equality.

As under representation in leadership limits the presence of female voices and important decisions and deprives girls and young women of strong role models, increase in the number of women in political and private sector leadership is key in achieving changes in stereotypes and broad social understanding that women can achieve as much as men. On the one hand, as women we must help break the biases and barriers, but it is also up to us to step up to the plate.

It is my hope that the Aruba Gender Policy will help to motivate my colleagues, employers, families and schools to close the gap, and empower girls and women to promote gender equality. Together we can ensure that all genders have equal opportunities to succeed and contribute to our society and economy. I call upon you all to be part of the change.

Prime Minister of Aruba

Evelyn Wever-Croes

ACKNOWLEDGEMENTS

The Aruba National Gender Policy is an initiative by the Government of Aruba and facilitated by Gender Steering Committee, which was instituted by Aruba's First Female Prime Minister, Evelyn Wever-Croes, together with the former Minister of Social Affairs and Labor, Glenbert Croes.

It is thanks to the great work and tenacity of the Gender Steering Committee that guided the process together with the United Nations Entity for Gender Equality and Women's Empowerment Multi- Country Office for the Caribbean (UN Women, MCO -Caribbean), and with the input of a wide range of actors from the government, non-governmental organizations, (NGOs), academia and the private sector that participated in various planning and feedback sessions, that Aruba now has its first official Gender Policy for a more equitable and sustainable development of Aruba.

Gender Steering Committee

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United Nations Resident Coordinator's Office

Marine Walter, UN Resident Coordinator, Aruba, Curaçao, St Maarten and Suriname and Mark Thomas, Policy Advisor.

United Nations Entity for Gender Equality and Women's Empowerment Multi-Country Office for the Caribbean (UN Women, MCO -Caribbean)

†Mary Allison Mc Lean, Representative UN Women- MCO Caribbean who started this journey with Aruba but left us too early, Tonni Broder, Representative, UN Women- MCO Caribbean, who replaced Allison Turner with great knowledge and enthusiasm and was supported by her great team of Policy Officers, Jennille Maraj, Tara Padmore and Joy-Anne Headley.

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KEY TERMS AND CONCEPTS

Domestic Violence (DV) or Intimate Partner Violence (IPV)

These terms are used interchangeably to refer to any pattern of behavior that is used to gain or maintain power and control over a current or former intimate partner. It encompasses all physical, sexual, emotional, economic and psychological actions or threats of actions that influence another person. This is one of the most common forms of violence experienced by women globally. (UN Women)[1].

Gender

Refers to the socially constructed attributes and opportunities associated with being female and male, the relationships among women and men and girls and boys, and the relations among women and the relationships among men, based on these social attributes. The term is also used to denote a range of identities that do not correspond to normative ideas of males and females. (UN Women) [2].

Gender-Based Violence (GBV)

Gender-based violence (GBV) refers to harmful acts directed at an individual or a group of individuals based on their gender. GBV is rooted in gender inequality, structural gender-based power differentials, the abuse of power and harmful norms. While women and girls suffer disproportionately from GBV, men and boys can also be targeted. The term is also sometimes used to describe targeted violence against LGBTQI+ populations, when referencing violence related to norms of masculinity/femininity and/or gender norms. (UN Women) [3].

GBV includes physical, emotional, psychological, sexual and economic abuse/violence, or threats of abuse/violence, including assault, murder, coercion, manipulation, intimidation, non-consensual or deceptive financial control or manipulation, domestic abuse, sexual abuse, rape, sexual harassment, sexual exploitation, early marriage or forced marriage, and female genital mutilation, amongst others.

Human Trafficking

Human trafficking is the acquisition and exploitation of people, through means such as force, fraud, coercion, or deception. This heinous crime ensnares millions of women and girls worldwide, many of whom are sexually exploited. (UN Women) [4].

Perpetrator

Refers to a person who commits acts of gender-based violence. (European Institute for Gender Equality) [5].

Survivor

The term survivor of violence refers to any person who has experienced sexual or gender-based violence. It is similar in meaning to “victim” but is generally preferred because it implies resilience. (UN Women) [6].

1 UN Women (2022). Types of Violence Against Women.
2 UN Women, Training Centre (2022). Gender Equality Glossary: Gender
3 UN Women (2022). Types of Violence Against Women.
4 Ibid
5 European Institute for Gender Equality (2022). Glossary and Thesaurus: Perpetrator
6 UN Women (2022). Types of Violence Against Women.

Violence Against Women and Girls (VAWG)

Violence against women and girls is defined as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. Violence against women and girls encompasses, but is not limited to, physical, sexual and psychological violence occurring in the family or within the general community and perpetrated or condoned by the State. (UN Women) [7].

Vulnerable or Marginalised Groups

Refers to groups of persons who face one or multiple (intersecting) forms of discrimination that prevent them from enjoying the same privileges as the rest of society, or those who face heightened risk of discrimination or exclusion due to one, or a combination of, attributes such as age, gender, ethnicity, sexual identity, nationality. (European Institute for Gender Equality) [8].

In Aruba, marginalized groups include (but are not limited to) the elderly, refugees and migrants, persons with disabilities, and the LGBTQ+ community.

7 UN Women (2022). Types of Violence Against Women.
8 European Institute for Gender Equality (2022). Glossary and Thesaurus: Vulnerable Groups

SECTION 1

INTRODUCTION - CONTEXT AND RATIONALE

1.1 Rationale

Globally, significant strides have been made towards achieving gender equality. Gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world [9]. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted by the United Nations in 1979, representing the first explicit commitment to ending gender inequality globally. The Beijing Declaration and Platform for Action, developed at the Fourth World Conference on Women in Beijing in 1995, represents the most comprehensive blueprint for action towards gender equality and women's empowerment.

The Sustainable Development Goals (SDGs) have positioned gender equality at the center of development. Under Agenda 2030, SDG 5: Gender Equality provides measurable indicators for achieving progress for all genders, and gender equality and women's empowerment is also integrated across the remaining 16 SDGs. Positioning gender equality as both a standalone goal and a pivotal tool to achieving all development objectives reiterates that gender equality is a catalyst for achieving sustainable development. These global commitments have contributed to national progress towards achieving equality for all persons in Aruba. Under the Constitution of Aruba, and through ratification of the CEDAW, the Government of Aruba (GOA) recognizes gender equality as a right to be upheld.

Despite great advances that have seen the wellbeing and quality of life of women and girls in Aruba vastly improved, progress remains to be made. The Government of Aruba is committed to developing a national strategy and framework to boost gains towards gender equality in Aruba. This strategy, as outlined in a National Gender Policy, is understood as critical and central to further inclusive and human centered development, and the achievement of Aruba's sustainable development.

On March 8, 2019, International Women's Day, the Prime Minister of Aruba and the Minister of Social Affairs and Labor installed a steering committee for the development of a national gender policy, which resides under the two Ministers. The steering committee is composed of representatives from the government, non-governmental organizations (NGOs), academia and the private sector, and guides the process of jointly developing, together with the United Nations Entity for Gender Equality and Women's Empowerment Multi-Country Office for the Caribbean (UN Women MCO-Caribbean), a National Gender Policy.

1.2 Situational Analysis: Gender Dimensions of the Status of Women and Men

1.2.1 Demographic Landscape

Aruba is a constituent country of the Kingdom of the Netherlands, situated in the southern Caribbean region. As an autonomous nation within the Kingdom of the Netherlands, its national Government maintains control over internal matters. By the end of 2021[10], the population of Aruba consisted of 107,457 persons, with slightly more women (56,798) than men (50,659). The population 15 years and older represented 83.4% (89,620) of the population were aged 15 and older, 53.6% of which were women. 27.9% of the population are youth between the ages of 0 and 24 years and the mean age of the population was 41.6, with 23,926 women of childrearing age (15-49 years).

9 Article I.1 of the Constitution of Aruba, AB 1987 no GT 1 and Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women on the 22nd of May 2002.
10 Quarterly Demographic Bulletin, 4th QTR 2021, Central Bureau of Statistics and the Population Registry Office

24.6% of the population are elderly (60+) and as a result, Government systems are heavily reliant on the working age population to sustain critical social benefits and public programmes. In the private sphere, women generally handle most of the eldercare creating added burden for women.

Aruba is a multicultural society with a unique amalgamation of Dutch, South American and Caribbean influences among others. As of 2020 the growth rate of the population was falling, and the net migration rate showed more emigrants than immigrants. Despite this Aruba maintains a largely diverse population. Results of the 2020 Census showed that 36.9%[11] of the population is foreign born, with 39.5% of women being foreign-born. This poses specific considerations with respect to decent work opportunities, economic stability and the security of migrant women and girls, who are more vulnerable to exploitation and precarity.

1.2.2 Poverty and Vulnerability

In 2019, 4.9% of people in Aruba lived under the World Bank poverty line for high income countries ($21.70) and 0.6% lived below the international poverty line of $1.90 a day[12]. Prior to COVID-19 poverty was not considered high in Aruba, yet many persons lived in vulnerability, near to the poverty line and thus at risk of poverty. In 2019, 16.9% of persons earned below 60% of the national equivalized household income[13]. Vulnerability however is not uniform across different groups. Single mother households were over-represented group with 28.7% in vulnerability. Notably, the prevalence of single father households in vulnerability was considerably lower at 19.5%, which is below the total average across all households.

Preliminary data from the United Nations Development Programme (UNDP) COVID-19 Socio-Economic Impact Assessment (SEIA) 2020 suggests a worsening of this situation. The study estimated that 10.6% of people in Aruba are now living below the World Bank poverty line for high-income countries as a result of the COVID-19 economic crisis. This is an increase of 116.3% percent compared to 2019. Though sex-disaggregated data is not yet available, it is expected that single mothers who experienced heightened vulnerability pre-COVID-19 were more likely to be pushed into poverty as a result of it. UN Women estimates that globally, 47 million women and girls have been pushed into poverty as a result of the pandemic, bringing the total number of women and girls in poverty to 435 million[14]. This is the result of the exacerbation of pre-existing and unequal gendered vulnerabilities as a result of the pandemic.

These trends highlight the severe impacts of gender inequalities for wellbeing and financial security in and out of crisis. This has significant implications for the wellbeing of women and children in particular. This gendered dynamic also underscores the need for targeted interventions to better support women in Aruba, especially single mothers and women-headed households, migrant women, persons with disabilities and other marginalized groups who are at particular risk such as the LGBTQ+ community of persons living with disabilities. A strategic approach demands addressing the root causes of these inequalities to enhance the quality of life of all persons.

1.2.3 Gender Equality, the Economy, and Labour Force Participation

Aruba has observed a marked increase in women's labour force participation since the turn of the century, however women still participate at a lower rate than men. In 2020, women's labour force participation rate stood 52.0%, a significant 7.1 percentage points below the men's labour force participation rate of 59.1%[15].

11 https://cbs.aw/wp/index.php/2021/12/02/tables-dealing-with-migration-characteristics-of-the-population-c/
12 Pilot Census 2019, Central Bureau of Statistics
13 Pilot Census 2019, Central Bureau of Statistics. Figure inclusive of those in poverty.
14 Azcona, G., Bhatt, A., Encarnacion, J., Plazaola-Casta o. J., Seck, P., Staab, S., and Turquet, L., 2020. From Insights to Action: Gender Equality in the Wake of 15 COVID-19. [online]. New York: UN Women. Available at: <https://www.unwomen.org/en/digital-library/publications/2020/09/gender-equality-in-the-wake-of-covid-19>
15 Census 2020, Central Bureau of Statistics

This gender gap correlates with the disproportionately high number of inactive women (i.e. neither employed nor looking for work) across the country. In 2020, 22,295 women (46.4% of the total population of women 15 years and older) compared to 16,365 men (39.4% of the population of men 15 years and older) were inactive (Table 1). While the number of inactive women has decreased since 2018, these disparities raise significant concerns for women's economic empowerment and economic autonomy.

Table 1: Key Labor market indicators for the population 15 years and older (in absolute numbers), 2016-2020

		2018			2019			2020		
Key indicator	Age category	Male	Female	Total	Male	Female	Total	Male	Female	Total
Employed population	15-24	2,232	2,035	4,267	2,490	2,003	4,493	1,328	1,014	2,341
	25-44	11,501	11,397	22,898	11,507	11,657	23,164	8,817	9,321	18,138
	45-64	11,295	11,740	23,035	12,463	12,835	25,298	10,273	10,963	21,237
	65+	908	669	1,577	1,450	1,040	2,490	1,066	890	1,956
	Total	**25,936**	**25,841**	**51,777**	**27,910**	**27,536**	**55,445**	**21,484**	**22,189**	**43,672**
Unemployed population	15-24	357	466	823	445	413	858	458	360	817
	25-44	908	772	1,680	637	648	1,285	926	890	1,816
	45-64	746	697	1,443	443	409	852	726	629	1,354
	65+	52	70	122	16	30	46	79	45	123
	Total	**2,063**	**2,005**	**4,068**	**1,541**	**1,499**	**3,040**	**2,188**	**1,922**	**4,111**
Population participating in the labor market (employed unemployed)	15-24	2,589	2,501	5,090	2,935	2,416	5,351	1,786	1,374	3,158
	25-44	12,409	12,169	24,578	12,144	12,305	24,449	9,743	10,211	19,954
	45-64	12,041	12,437	24,478	12,906	13,244	26,150	10,999	11,592	22,591
	65+	960	739	1,699	1,466	1,070	2,536	1,145	935	2,079
	Total	**27,999**	**27,846**	**55,845**	**29,451**	**29,035**	**58,485**	**23,672**	**24,111**	**47,783**
Inactive population	15-24	4,276	4,119	8,395	3,516	3,787	7,304	4,265	4,278	8,543
	25-44	989	2,887	3,876	669	2,171	2,841	2,340	3,614	5,955
	45-64	3,591	5,957	9,548	2,154	4,483	6,637	3,538	5,790	9,328
	65+	5,672	8,163	13,835	5,367	8,038	13,405	6,222	8,612	14,834
	Total	**14,528**	**21,126**	**35,654**	**11,707**	**18,479**	**30,186**	**16,365**	**22,295**	**38,660**

Source: LFS Department of Labor and Research, Central Bureau of Statistics, Central Bank of Aruba 2016, 2017, 2018; Pilot Census 2019; Census 2020

Table 2: Key Labor market indicators for the population 15 years and older (in rates), 2016-2020

		2018			2019			2020		
Key indicator	Age category	Male	Female	Total	Male	Female	Total	Male	Female	Total
Employment rate	15-24	32.5	30.7	31.6	38.6	32.3	35.5	21.9	17.9	20.0
	25-44	85.8	75.7	80.5	89.8	80.5	84.9	73.0	67.4	70.0
	45-64	72.3	63.8	67.7	82.8	72.4	77.2	70.7	63.1	66.5
	65+	13.7	7.5	10.2	21.2	11.4	15.6	14.5	9.3	11.6
	Total	**61.0**	**52.8**	**56.6**	**67.8**	**58.0**	**62.5**	**53.7**	**47.8**	**50.5**
Unemployment rate	15-24	13.8	18.6	16.2	15.2	17.1	16.0	25.6	26.2	25.9
	25-44	7.3	6.3	6.8	5.2	5.3	5.3	9.5	8.7	9.1
	45-64	6.2	5.6	5.9	3.4	3.1	3.3	6.6	5.4	6.0
	65+	5.4	9.5	7.2	1.1	2.8	1.8	6.9	4.8	5.9
	Total	**7.4**	**7.2**	**7.3**	**5.2**	**5.2**	**5.2**	**9.3**	**8.0**	**8.6**
Participation rate	15-24	37.7	37.8	37.7	45.5	38.9	42.3	29.5	24.3	27.0
	25-44	92.6	80.8	86.4	94.8	85.0	89.6	80.6	73.9	77.0
	45-64	77.0	67.6	71.9	85.7	74.7	79.8	75.7	66.7	70.8
	65+	14.5	8.3	10.9	21.5	11.7	15.9	15.5	9.8	12.3
	Total	**65.8**	**56.9**	**61.0**	**71.6**	**61.1**	**66.0**	**59.1**	**52.0**	**55.3**
Inactivity rate	15-24	62.3	62.2	62.3	54.5	61.1	57.7	70.5	75.7	73.0
	25-44	7.4	19.2	13.6	5.2	15.0	10.4	19.4	26.1	23.0
	45-64	23.0	32.4	28.1	14.3	25.3	20.2	24.3	33.3	29.2
	65+	85.5	91.7	89.1	78.5	88.3	84.1	84.5	90.2	87.7
	Total	**34.2**	**43.1**	**39.0**	**28.4**	**38.9**	**34.0**	**40.9**	**48.0**	**44.7**

Source: LFS Department of Labor and Research, Central Bureau of Statistics, Central Bank of Aruba 2016, 2017, 2018; Pilot Census 2019; Census 2020

These gender disparities in labour force participation may point to issues that could disincentivize and prevent women from joining, or staying in, the labour force, such as socio-cultural norms, the unpaid care burden that reduces women's productive capacity and time, lack of opportunity, inadequate skill sets and/or gender biases within the workforce that can lead to gender wage gaps. In 2010, women earned 80% of men's wages for equal or similar work[16], highlighting that women's work is being undervalued and remunerated unequally in comparison to men. In order to harness women's productive capacity for sustainable development, more must be done to promote, facilitate and support women's equal labour force participation.

Even within the employed labour force, clear disparities exist. In 2019, 62.5% of the population was employed; 25,736 (52%) of these jobs were held by women[17]. While the unemployment rate of persons 15 years and older is equal between men (5.2%) and women (5.2%)[18], this picture is somewhat distorted by the previously discussed disparities in labour force participation. Notably, women's unemployment is highest in the 15-24 and 35-44 age categories.

In 2020 came the onset of the COVID-19 global pandemic which had a significant impact on the rates of employment with, 50.5% of the population was employed and 22,177 (47.8%) of these jobs were held by women. For 2020, the gap between the unemployment rate for men (9.3%) versus women (8.0%) was approximately a 1.3 percentage point difference[19].

Labour force segregation sees women concentrated in the service sector. According to the Central Bureau of Statistics (2019), 96% of employed women work in the service sector, compared to 76% of men[20]. Most women (27%) are employed in the tourism sector (using the Accommodation and Food Service as a proxy) but women also dominate in Wholesale, Retail Trade; Repair of Motor Vehicles and Motorcycles (15%) and Human Health and Social Work Activities (9%). Notably 38.6 % of the employed foreign-born population is working in accommodation and food service activities[21].

Table 2: Number of jobs by economic activity

	Males				Females			
	2019		2020		2019		2020	
	Abs	%	Abs	%	Abs	%	Abs	%
A., B. Agriculture, forestry, fishing, Mining and quarrying	16	0%	16	0%	6	0%	6	0%
C. Manufacturing	934	4%	837	4%	441	2%	403	2%
D. Electricity, gas, steam and air conditioning supply	158	1%	153	1%	45	0%	45	0%
E. Water supply; sewerage, waste management and remediation activities	477	2%	459	2%	95	0%	89	0%
F. Construction	2,333	10%	2,272	10%	677	3%	526	2%
G. Wholesale, Retail trade; repair of motor vehicles and motorcycles	3,688	15%	3,358	15%	4,708	18%	4,071	17%
H. Transportation and storage	1,236	5%	1,166	5%	811	3%	722	3%
I. Accommodation and food service activities	5,281	22%	4,723	22%	7,048	26%	6,280	27%
J. Information and communication	482	2%	532	2%	400	2%	474	2%
K. Financial and insurance activities	647	3%	605	3%	1,355	5%	1,280	5%
L. Real estate activities	245	1%	236	1%	257	1%	226	1%
M. Professional, scientific and technical activities	421	2%	387	2%	795	3%	742	3%
N. Administrative and support service activities	3,574	15%	2,546	12%	2,677	10%	1,843	8%
O. Public administration and defence; compulsory social security	2,278	9%	2,219	10%	1,928	7%	1,947	8%
P. Education	598	2%	554	3%	1,922	7%	1,751	7%
Q. Human health and social work activities	667	3%	617	3%	2,215	8%	2,130	9%
R. Arts, entertainment and recreation	921	4%	814	4%	801	3%	711	3%
S. Other service activities	268	1%	238	1%	478	2%	431	2%
Total	24,224	100%	21,732	100%	26,659	100%	23,677	100%

Source: Social Security Bank and the Department of Human Resources of the Government of Aruba December 31st of each year

16 Central Bureau of Statistics
17 Social Security Bank and the Department of Human Resources of the Government of Aruba, December 31st of each year
18 Pilot Census 2019, Central Bureau of Statistics
19 Census 2020, Central Bureau of Statistics
20 Central Bureau of Statistics, 2019. Gender Statistics. Available at: https://cbs.aw/wp/index.php/2019/11/18/gender-statistics/
21 Ibid.

The COVID-19 pandemic caused significant yet varied disruption to the economy and labour force. A Central Bureau of Statistics report found that as of December 2020, job loss was most prominent in the Administrative and Support Services (-28%), Arts, Entertainment and Recreation (-10.3%) and Accommodation and Food Services (-10%)[22]. These declines push many women into unemployment or out of the labour force entirely. This is particularly concerning recalling the already high inactive rate for women. Further, women working within the informal economy, many of whom are migrants in the tourism sector, are at particular risk as they lack labour protections and rights and are therefore often the first to be fired.

Similarly, women's entrepreneurism also faces significant obstacles. Globally and regionally, research shows that women face significant obstacles to entrepreneurism and/or business growth[23] including more difficulty accessing finance (inability to meet loan requirements and lending standards, for example), the technology gap, inadequate skill set (women are under-represented in science, technology, engineering and mathematics (STEM) fields), the unpaid care burden and for some, greater hesitancy towards risk due to their family responsibilities. Amid the economic shock brought by the pandemic, many women-owned businesses have been forced to close due to lack of liquidity, capital or collateral resources for loans.

1.2.4 Unpaid Care and Social Protections

Unequal gender norms and stereotypes, and structural gender inequities see women in Aruba shouldering an unequal burden of unpaid care and domestic work; caring for children or elders, cooking, cleaning and other household duties. Globally, prior to COVID-19, it was estimated that women carry out over 2.5 times more unpaid house and care work than men[24].

This staggering discrepancy has been worsened by the COVID-19 pandemic as lockdowns, stay-at-home orders and school closures mean women are facing even greater burdens within the home. While data is not yet available for Aruba, a regional online socio-economic survey carried out by the Inter-American Development Bank (IDB) (2020) found that on average among countries surveyed, twice as many women compared to men observed increases in cleaning, cooking and home-schooling children, and almost twice as many women observed increases in entertaining children[25].

This unpaid care burden has widespread implications. Unpaid care contributes to women's time poverty and hinders women's potential to seek or perform paid employment; undermines women's productive capacity in paid employment and strains women's wellbeing. With limited opportunities for flexible working, many women are stuck between caring for their children and earning an income to provide for them. This disproportionate unpaid care burden may contribute to the large number of 'inactive' women in Aruba and can further disincentivize women to return to the workforce after COVID-19. As Aruba's economy is reliant on women's labour for growth and diversification, this poses a significant hindrance to sustainable development. However, data on the unpaid care burden in Aruba is currently not available, which hinders the development of effective strategies, plans and systems to recognize, relieve and redistribute this care burden.

With social, structural and institutional obstacles to economic empowerment, women are seeking financial assistance from the state more than men. In January to April 2020, the Ministry of Justice and Social Affairs provided most of its financial aid to women; 87.3% to woman headed households; 83.8% to single mothers; 44.5% to women with a disability and 65.6% to woman households with a disability.

23 The Central Bureau of Statistics, 2020. The Impact of COVID-19 on the Labour Market of Aruba. Dohnert, S., Crespi, G., Maffioli. A., 2017. Exploring Firm-Level Innovation and Productivity In Developing Countries: The Perspective of Caribbean Small States. IDB; InfoDev. 2015. Profiling Caribbean Women Entrepreneurs: Business Environment, Sectoral Constraints and Programming Lessons. Washington, DC: The World Bank.; UN Women, 2019. Status of Women and Men Report: Productive Employment and Decent Work for All.

24 Women at Work, Trends 2016, International Labour Organization; Women's economic empowerment in the changing world of work, Report of the Secretary-General, E/CN.6/2017/3, December 2016

25 Inter-American Development Bank (IDB) Country Department Caribbean, 2020. COVID-19 The Caribbean Crisis: Results from an Online Socioeconomic Survey. [online]. Available at: <https://publications.iadb.org/publications/english/document/COVID-19-The-Caribbean-Crisis-Results-from-an-Online-Socioeconomic-Survey.pdf>

Notably, the social insurance and social protection systems provide critical benefits including maternity leave (which was extended to twelve weeks from eight weeks), time allowance for breastfeeding for new mothers (up to one quarter of daily hours), a pension scheme, sick leave and protection from labour termination or unfair advantage in the workforce due to gender, pregnancy, marriage etc.[26]. Family assistance in the form of cash transfers, including education allowance and food grants, are also provided for the vulnerable.

As these cash transfers are only available to vulnerable persons who were born in Aruba or have been resident in Aruba for at least three years, new or undocumented migrant women, many of whom are mothers, are excluded. Additionally, few benefits exist for those working in the informal economy who are generally outside of the social insurance framework - i.e., casual workers, gig workers, and the self-employed in the informal economy. Therefore, while the system provides a strong social safety net for most Arubans, more can be done to enhance the transformative potential of social protections through, for example, redistributing the unpaid care burden and capturing the most marginalized (such as survivors of gender-based violence and those in the informal economy) through a more integrated and cohesive approach.

As the COVID-19 pandemic has pushed considerably more persons into precarity the Government responded by strengthening emergency social protections to support the influx of persons experiencing job or income loss. This included expanded cash transfer programmes, the special financial assistance programme (FASE) and employer subsidy loans. 40% of applicants to the FASE programme were non-nationals, showing the intersecting disparities in vulnerability in the face of crisis. Between 13 March and 19 August 2020, The Ministry of Justice and Social Affairs recorded 1,675 new applications for the Government's cash transfer welfare programme (Bijstandsverlening). As of 24 June 2020, there were 4,135 beneficiaries of the programme (a 19% increase from mid-March)[27].

Importantly, excluding disability insurance[28], this cash transfer allowance is below the poverty line ($21.70 USD / day[29]). This is particularly concerning for women, especially single mothers, single income households and women-headed households that are overrepresented in vulnerability and poverty, along with those in the informal economy, migrants, and other marginalized groups such as the LGBTQ+ community, persons living with HIV/AIDS, the elderly, people with disabilities and persons facing intersecting vulnerabilities (e.g. HIV+ migrant women). According to the Response for Venezuela (R4V) coordination platform, led by the United Nations High Commission for Refugees (UNHCR) and The United Nations International Organization for Migration (IOM), 17,000 Venezuelan documented, and undocumented migrants need support[30].

In such a context, a gender-responsive approach to COVID-19 relief and recovery is critical to reviving and diversifying the economy to ensure the most marginalized and vulnerable are economically resilient. Only then can Aruba spur and sustain economic growth and poverty reduction that supports gender equality. Understanding the gains and obstacles to women's economic empowerment is incomplete without addressing women's disproportionate unpaid care and domestic work burden.

26 The Civil Code 2007 Amendment.
27 Ministry of Justice and Social Affairs. (2020). "Covid-19 Impacts on Public Assistance Programs administered by the Department of Social Affairs, Government of Aruba." November.
28 Ibid. DSA's monthly assistance for a disabled person is US$528 (AFL$950). For the head of the family, it is US$257 (AFL$450) and for each qualifying family member not attending school it is US$114 (AFL$200).
29 World Bank poverty line for high income countries
30 This figure includes people in need targeted within the host community. R4V. (2021). "Refugee and Migrant Response Plan (RMRP 2020)'

1.2.5 Health

Since 2001, Aruba has provided universal healthcare through the General Health Insurance (AZV). While Aruba maintains a robust healthcare system, accessibility for migrants remains difficult and persistent struggles remain as non-communicable diseases continue to plague the health and wellbeing of the society. The results of a health survey conducted in 2016/2017 indicated that 80% of men and 78% of women20 years or older were overweight or obese.

Almost twice as many women compared to men, 20 years or older, suffered from high cholesterol levels (12.5% women vs 6.4% men) while more men have high blood pressure (71.4% vs 58.1% for women) and elevated blood glucose levels (16.9% vs 13.6% for women). Men are also considerably more likely to die from diabetes, cardiovascular disease, and chronic respiratory infections than women and, excluding in the year 2012, are consistently more likely to commit suicide[31]. Importantly, data is lacking on health indicators of the LGBTQ+ community.

Evidently, men are facing a greater threat from NCDs and mental health, though the population at large is struggling. Paired with an increasingly aging population, this puts the population at greater risk of serious illness and death from COVID-19. While these worrying gendered trends can be attributed to a variety of biological and social factors, it is possible that a greater apprehension to the use of healthcare among men is contributing to their heightened ill-health.

The causes of this trend demand further investigation, but harmful gender norms and stereotypes that perpetuate ideas of masculine bravado, strength and lack of emotion can easily disincentivize men from seeking healthcare, especially mental health support. Further investigation is also required to better understand the mental and physical health challenges facing members of the LGBTQ+ community in Aruba, and the ability of healthcare services to adequately address them.

For the migrant community, accessibility to healthcare poses a persistent threat to their wellbeing and security. For migrants with chronic medical conditions – such as diabetes or HIV/AIDS – the inaccessibility of healthcare can threaten their quality of life, ability to pursue livelihood strategies, possibly impede their regularization process, and even threaten their survival. This issue is even more acute for women migrants with chronic illnesses (including HIV/AIDS) where lack of access to essential services and/or medication can increase their (already heightened) vulnerability to other protection risks, including gender-based violence and exploitation.

Aruba generally has relatively strong sexual and reproductive health services integrated within the healthcare system and supported by organisations like Planned Parenthood (Famia Planea Aruba (FPA)) who also provide sexual and reproductive health and rights (SRHR) services. FPA works to promote the right and easy access to services and information on the use of contraceptives and sexual health to the community of Aruba, without discrimination on any basis. The organization offers a variety of contraceptive methods and provides counseling, Comprehensive Sexuality Education (CSE) Programs in and out of schools, alongside the provision of digital sexual and reproductive health and rights (SRHR) services.[32]

The maternal and neonatal death rates were both zero in 2018[33] indicating strong maternal health services. Looking at the Adolescent Fertility Rate (AFR)[34], Aruba has recorded a steady decline in adolescent pregnancies. The AFR decreased from 44 in 2000, to 31 in 2010, and to 23 in 2020[35]. In 2018 for example, 23 teenagers aged 15–17, and 47 teenagers aged 18–19-year-olds gave birth, with these teenage pregnancies accounting for 6.8% of all births in 2018[36].

31 Department of Public Health, Population Registry Office, and the Central Bureau of Statistics.
32 Famia Planea Aruba (FPA) Strategic plan 2016-2022
33 Ibid.
34 Births per 100,000 women aged 15-19.
35 United Nations Population Fund (UNFPA) as reported by the World Bank: https://data.worldbank.org/indicator/SP.ADO.TFRT?contextual=default&locations=AW&name_desc=false
36 Population Registry Office and the Central Bureau of Statistics. Quarterly Demographic Bulletin 2018.

Over the years FPA has reported a steady increase in visits from both youth and adults. FPA views this as a sign of more people becoming aware of their sexual and reproductive health and of increased understanding of sexual rights as human rights. In April 2020, FPA reported over three times more requests for their services, including counseling and contraception delivery services, compared to April 2019 as a result of the pandemic[37]. According to the results of FPA's 2020 Annual Report, there was a 115% increase in clients (youth and adults) using contraceptive methods, a 152% increase in clients using the online-store and delivery service, and a 40% increase in online counseling throughout FPA's media platforms[38].

As of June 24, 2021, Aruba has experienced 11,125 COVID-19 infections (10,228 residents and 897 visitors) and 107 deaths (106 resident and 1 non-resident)[39]. While the management of the pandemic should be lauded within the country, the pandemic has underscored the importance of addressing underlying physical and mental health issues across the country. It is essential that healthcare services are gender responsive, and cater to the distinct issues, concerns and needs of all persons. This includes physical health services (inclusive of nutrition education) and mental health across all ages and groups. Ensuring quality physical and mental health services, as well as promoting and encouraging their use, especially among men, is pivotal to achieving good health and wellbeing for all persons in Aruba.

1.2.6 Gender-Based Violence and Human Trafficking

Gender based Violence in Aruba like most countries often manifests as violence predominantly against women and girls (VAWG), specifically intimate partner violence, and sexual harassment as well as child sexual abuse where girls and boys are at risk, however data points to girls being the majority of the victims. While VAWG prevalence data does not yet exist for Aruba, anecdotal evidence, and administrative data points to a high level of VAWG, worsened by the restrictions and stresses imposed by the COVID-19 pandemic. VAWG can take many forms; intimate partner violence or domestic violence, sexual harassment, femicide, or any form of violence imposed on another because of one's gender. This includes physical, emotional, verbal, psychological and economic violence. Yet under-reporting for fear of disbelief, worse violence, isolation, economic dependency or, for some, deportation, skews understanding of the true scale of the issue.

In 2016, the Aruba Police Force recorded an average of 150 domestic violence cases per month, a figure that excluded public holidays when reports increased significantly[40]. COVID-19 saw worrying increases in VAWG, brought on my stay-at-home orders, work closures, movement restrictions, job losses and the associated economic, social, and psychological strains. The Fundacion Contra Violencia Relacional (FCVR) that supports victims of domestic violence recorded 183 new clients in 2020, 176 of which were women. 60% of new clients were not Aruban, and 14% had illegal immigration statuses[41] indicating the heightened vulnerability of migrant women to violence.

A February 2020 GBV safety audit confirmed this heightened vulnerability to violence among migrants pointing to their undocumented status, stigma, and a severe lack of trust in their environment, a lack of control of resources and a lack of access to information and services[42]. While this administrative data is informative, standardized, and robust prevalence data is needed to obtain more detailed and comparative data regarding the prevalence, impacts and contributing factors to domestic violence in Aruba.

Gender-based violence or domestic abuse exists, is criminalized under Articles 2:273 to 2:276 of the Aruba Penal Code (APC) where all forms of abuse (simple assault, assault with a weapon, and aggravated assault) may be punished by four to a maximum of twenty-four years of imprisonment. Article 2:277 of the APC also states that the maximum punishment imposed under the aforementioned articles on abuse are to be increased by one-third if the abuse was committed against the offender's mother, father, husband or wife, partner, biological child, or foster child, or someone entrusted to his/her care, education, or supervision. The penalty for statutory rape is imprisonment not exceeding 15 years or a fine. The minimum age of consent is 16 years. Employers are required to introduce and enforce sexual harassment policies within the workplace. Stalking is criminalized under the new APC.

37 Interview with Jonathan Trinidad, Coordinator of Famia Planea Aruba. 20 October 2020. As cited in UNDP (2020) SEIA.
38 2020 Annual Report Famia Planea Aruba (FPA)
39 https://www.visitaruba.com/news/general/corona-virus-and-travel-to-aruba/
40 Data based on a 2016 special report by the Aruba Police Force, as cited in Sociaal Crisisplan. (2019). Annual Report 2019 & Reporting on the Implementation of the Social Crisis Plan Aruba, November 2018-October 2019.
41 The Fundacion Contra Violencia Relacional (FCVR), 2020. DATO Ambulant 2020.
42 HIAS, 2020. Gender-Based Violence Safety Audit Report Aruba, February 2020.

Yet, despite these measures, sexual harassment in the workplace remains an issue. This is in part due to a lack of effective enforcement of legislation surrounding GBV within both the public and private sectors. This results in reports and complaints going uninvestigated and further, some legal charges culminating without prosecution of the perpetrator. Such issues serve to inadvertently legitimize acts of GBV and its perpetrators, and disincentivizes reporting among survivors.

The Fundacion Contra Violencia Relacional (FCVR) operates a shelter and provides support services to survivors of domestic violence. At present this supports women and children and is exploring options for battered men. The FCVR has 5 pillars of services: Ambulant, Residential, Aftercare, Advocacy and our Expertise centrum.

There are several entities within government departments and NGOs aiding victims of domestic based violence. There is also a special unit of the police force - the Bureau slachtaofferhulp – developed to handle victim support to all crimes including domestic violence cases . Nonetheless, a 2014 report by the Central Bureau of Statistics concluded that there is inconsistency in domestic violence reporting across different agencies and under-reporting of cases in the official registry by officials. Further, slow processing times for restraining orders, no national gender-based violence or domestic violence legislation or plan, the lack of gender-responsive service provision training, ineffective systems without standardized and monitored procedures, and challenges with navigating the justice system are cumulatively disincentivizing reporting by survivors and failing to combat GBV.

Like migrants, it appears that the LGBTQ+ community can experience heightened risk of violence because of their perceived non-conformity to traditional gender norms. Notably, data is lacking in this area, however anecdotal evidence may suggest that conservative sentiment, especially among many faith groups means that all sexual and gender identities are not readily accepted. As a result, the LGBTQ+ community could be more vulnerable to violent and discriminatory acts that impede on their human rights, fuel insecurity and can significantly impact individuals' physical and mental wellbeing.

Human trafficking is also a concern in Aruba, especially for the migrant population. Global data suggests that women are more likely to be victims of human trafficking and more specifically sex trafficking. Yet, in Aruba most victims of trafficking are men and are victims of labor exploitation. Migrants, in particular Venezuelan migrants, are seen to be most at risk due to many Venezuelans being undocumented, facing socio-economic vulnerability, with the fear of deportation discouraging victims from seeking help, reporting suspicious activity or identifying perpetrators.

The Government of Aruba has recognized this risk and taken proactive steps to combat such illegal acts. These include establishing referral pathways; a Protection Framework providing healthcare and legal support to non-citizens, including the regularization of migrants' status throughout the course of the investigation and judicial proceedings and protection from deportation; public information campaigns and training sessions. In 2006 the Aruba Criminal Code was amended to include human trafficking under Article 286a SrA. The Aruba Penal Code was adapted again in 2012 in which human trafficking was defined as a criminal act in articles 2:239 and 2:240.

In 2008 Aruba instated a National Coordinator on Human Trafficking and Migrant Smuggling, in 2009 a Taskforce that advises the government, in 2016 a Unit that investigates cases, and in 2020 a Coordination Center (CMMA) that gathers information, creates awareness and provides assistance to survivors of human trafficking. In 2020 the Minister of Justice accepted a proposal to adapt the Penal Code and raise the penalties for human trafficking to comply with international norms. Nonetheless, prosecution of smugglers remains an issue, in part due to issues of implementation of the legal infrastructure. Yearly between ten and fifteen reports of human trafficking are formally made, of which between two and five are investigated and only between one and two will be prosecuted[43].

43 https://habribowowo.com/migrant-smuggling/

1.2.7 Child Abuse

Child abuse, like VAWG is significantly underreported in Aruba, yet existing data points to worrying levels. The UNDP COVID-19 Socio-Economic Impact Assessment (SEIA) reported that the Dr. Horacio Oduber Hospital registered 175 cases of child abuse in 2016, which was 55 more cases than in 2015, and a drastic increase over previous years (100 cases in 2014; 70 in 2013 and 50 in 2012). Roughly 80 percent of cases were classified as sexual abuse (incest) by father, uncle or close relatives[44]. In more recent years, these numbers remain high. 978 abuse cases were registered between 2016 and the third quarter of 2019 by Bureau Sostenemi, the public authority responsible for registering and dealing with reports of child abuse[45]. Yet, research on this issue predicts numbers are even higher. A pilot study which interviewed secondary school students in Aruba found that a staggering 67% claimed to experience serious physical abuse; 42% said they had been neglected; and 19% said they were victims of sexual abuse[46].

Thus, while standardized data is lacking, it is clear that child abuse is still a pressing issue in Aruba that needs to be urgently addressed, despite measures being taken over the last few years, including through the Social Crisis Plan. The Aruba Social Crisis Plan seeks to strengthen the child protection system by fostering the rights of every child in Aruba and providing direct access to vital social services and fair justice systems to effectively prevent and protect children against child abuse. The Government and NGOs have also conducted campaigns to focus attention on child abuse issues to combat its prevalence. Child abuse is punishable under the Criminal Code and the punishment can be increased by one-third if the abuser is the child's parent.

1.2.8 Education

A strong education system has largely benefitted women and girls who perform well in education. Data from the Central Bureau of Statistics reveals that more females are enrolled in all levels of education than boys, and women comprise 62.9% of tertiary education teachers or professors[47]. Generally, 80% or more of youth aged 15-24 have basic ICT, thought this number drops among higher age groups[48]. Gender stereotypes within education still see women and girls less likely to pursue classes or careers in Science Technology, Engineering and Mathematics, which limits their ability to tap into high-growth sectors that also contribute to economic diversification. Further, as labour force statistics show, high educational attainment does not necessarily translate to high, or equal, access to jobs, particularly high-level jobs. For example, despite having a woman Prime Minister, political participation is dominated by men. Evidently, structural, and socio-cultural gender inequalities remain that undermine women's job progression despite their qualifications. Overcoming these is critical to spurring women's labour force participation, women's entrepreneurism and creating a fit-for-purpose workforce that possesses the suitable skills for a modern economy.

1.2.9 Humanitarian Emergencies and Disaster Risk Management

As a Caribbean small island developing state (SIDS), Aruba possesses unique vulnerabilities to external shocks and natural disasters. The COVID-19 pandemic, migratory inflows from neighbouring countries, and the impacts of climate change, including worsened storms and hurricanes, warming waters and unpredictable flooding and droughts, create real and lived humanitarian threats. Women tend to possess higher risk in humanitarian emergencies due to their lower economic resilience in the labour force (and in the case of COVID-19, their higher exposure to risk as the majority of healthcare professionals), their childcare responsibilities and gendered expectations and stereotypes that create heightened safety risks, exposure or burden.

44 Sociaal Crisisplan. (2019). Annual Report 2019 & Reporting on the Implementation of the Social Crisis Plan Aruba, November 2018-October 2019. Referenced in UNDP, 2020. COVID-19 Socio-Economic Impact Assessment (SEIA).
45 Sostenemi data, as cited in the UNDP (2020) SEIA and Sociaal Crisisplan. (2019). Annual Report 2019 & Reporting on the Implementation of the Social Crisis Plan Aruba, November 2018-October 2019. Reported in the SEIA
46 Eugene, C. & Graafsma, T. L. G. (2020). Children's Human Capabilities and Child Maltreatment. Journal de Ciencias Sociales. Cited in UNDP, 2020. SEIA
47 https://cbs.aw/wp/index.php/2019/11/18/gender-statistics/#education
48 Preliminary results of the Pilot Census - https://cbs.aw/wp/wp-content/uploads/2019/10/Preliminary-Results-Pilot-Census-2019.pdf

As a result of this gender inequality of risk, it is crucial that Aruba's disaster risk reduction (DRR) and emergency management plans and strategies are gender responsive. COVID-19 relief and recovery must address women's pre-existing vulnerabilities and climate change adaptation and mitigation plans must include and appropriately support women and marginalized groups such as the elderly and the LGBTQ+ community. Strategies and processes for migrant and refugee management must recognize the unique needs and vulnerabilities of women and marginalised groups. Should they not, humanitarian emergencies risk derailing hard earned gains towards gender equality, and gender-blind plans and measures risk at best ignoring, and at worse exacerbating, the unique issues women face.

1.3 Socio-Cultural Gender Norms and Stereotypes

Despite significant advances to the status of women in Aruba, persistent socio-cultural gender norms and stereotypes hinder women's advancement, and the progression of all Arubans. Traditional perceptions and biases on what it means to be a male or female, including gender attributes, behaviours and expectations, persist. These tend to depict men as the breadwinners, more powerful, assertive, competitive, and strong, and women as docile, homemakers, child caretakers, and less capable. Accompanying this are norms, beliefs and biases around sexual identity which often privilege heterosexuality over other types of sexual identity. These gender norms and stereotypes, including biases around sexual identity, create social expectations and rules around what persons should and should not, can and cannot, do based on their gender. These gender norms and stereotypes are both rooted in, and reproduce, inequalities of power positing men, and more broadly traditional ideals of men and women, as the most dominant. Such stereotypes exist on ideological (in normative beliefs), institutional (in society's structures and institutions), interpersonal (in how we interact and behave with one another) and internal (in our own understandings of self and other) levels. They are often reproduced by the media and the religious fraternity. As a result, gender norms are embedded in all facets of Aruban life and perpetuate the inequalities in the labour force, unpaid care, health, and security as described in this situational analysis.

These norms define what is 'feminine' and 'masculine' and can produce harmful notions of 'toxic masculinity' that depict men as unemotional, strong, and always in control. These expectations have damaging implications for men's mental health as men are unable to express their emotions leading to depression, anxiety, and feelings of isolation. This can also result in poor anger management and insecurities that put men at greater risk of committing violence against women and girls. Therefore, without acknowledging (through research), addressing and combatting these harmful gender norms across all strata of society and government, women's advancement will be stifled, and gender equality will never be realized.

These gender norms also have particularly harmful ramifications for the LGBTQ+ community. For people who identify as non-binary or transgender, or people who are not heterosexual, for example, the pervasiveness of these fixed and rigid ideas of gender and sexuality can create significant obstacles in everyday life, deep-rooted distress, mental health issues, physical insecurity and ultimately, diminished quality of life. While local data is unavailable, in the USA, the National LGBT Health Education Center of the Fenway Institute reported that regional and national statistics indicate that LGBTQ+ adults are twice as likely to attempt suicide, while 40% of transgender adults have attempted suicide [49]. Feelings of isolation, depression, anxiety, non-acceptance and bullying or discrimination, rooted in harmful gender norms and stereotypes, can have fatal implications for many LGBTQ+ children, youth, and adults.

These gender norms and stereotypes can cause social issues and hinder progress towards gender equality for all persons in Aruba. Combatting these norms, while providing accessible gender-responsive support resources to all persons is critical to achieving gender equality, good health and wellbeing, and ultimately sustainable development for Aruba.

49 Suicide-Risk-and-Prevention-for-LGBTQ-Patients-Brief.pdf (lgbtqiahealtheducation.org)

1.4 The International Legal Framework

Effective gender equality legislation is crucial in guaranteeing the equal rights and opportunities of women and men in our society as well in preventing discrimination against women. This paragraph summarizes the international and national legislation in place for Aruba related to gender equality and prohibition of discrimination.

Adopting and strengthening sound policies for the promotion of gender equality at all levels requires legislation and enforcement of the law. The legislative framework of Aruba recognizes international treaties and conventions on gender as legal instruments when they are signed and ratified by the Kingdom of the Netherlands for Aruba as an autonomous entity within the Kingdom. Also, it needs to be emphasized that even if relevant international instruments on gender are in place, in general it still needs to be implemented by national legislation to become enforceable. An international instrument therefore is primarily an assignment for the government to enact these in their national legal framework.

Aruba has ratified in 2002 the convention related to women's rights: the UN Convention on the Elimination of all Forms of Discrimination of Women (CEDAW). CEDAW is globally considered the basic document to eliminate discrimination of women relative to men in legislation.

Being a member ratification means that Aruba must comply with the obligations resulting from said treaty and must bring its national legislation in line with these treaties. Gender mainstreaming should be applied to the development and implementation of all laws, policy and programs of the ministries and legislative structures.

Also, the European Convention on Human Rights ratified in 1954 by the Kingdom for all autonomous parts including Aruba offers an additional level of protection for women. The role the European Convention on Human Rights plays in the framework of gender equality is evident by means of one concrete fundamental right which is protected in article 14 and in Protocol No. 1 of the European convention: the equality principle respectively the ban on discrimination.

1.5 The National Legislative Framework

The prohibition of discrimination, which also implies the principle of gender equality is laid down in Chapter I of the Constitution of Aruba (AB 1987 no. GT 1) which states:

"Everyone in Aruba shall be treated equally in equal cases. Discrimination on the grounds of religion, philosophy of life, political affiliation, race, gender, color, language, national or social origin, membership of a national minority, property, birth or any other grounds whatsoever is not permitted."

Based on what is laid down in the Constitution, women are legally equal to men in every area, and discrimination should not occur, neither in public life nor in the private sphere. Despite the principle of equality of men and women and the prohibition of discrimination laid down in the Constitution, legal provisions exist in national legislation that contradict these principles. For, constitutional gender equality does not always mean that men and women are equal in practice.

In the past years, public interventions were made to remove the discriminatory legal provisions or bring them in line with international treaties that advocate for gender equality. Various court cases appealed to the European Convention on Human Rights resulted in adaptation of the Aruba Civil Code. The adaptations include, among other things, equal pay for men and women, equal rights for public employment for women, married or not, and legalizing civil partnerships. However, this civil partnership has not yet granted registered same-sex couples equal rights as married couples. Only the 'core rights" are applicable between same sex partners have been regulated. To achieve full equality with married couples it is necessary to implement the "supplementary rights" in the rights that regulate family relations, tax laws and social security legislation. The new Aruba Civil Code which includes civil partnerships has been approved by the Aruban Parliament and became effective in September 2021.

Even though Aruba is attempting to adopt new legislation which guarantees improved protection for all, much still remains to be done to actually ensure that the principle of gender equality is guaranteed in all legislation, for example the introduction of the supplementary rights for registered same-sex partnerships It is important that Aruba drafts its legislation in consultation and/or amend discriminatory legislation in line with international obligations and prevent gender-related discrimination.

One of the main challenges in fully updating and adopting comprehensive legislation in line with the international human rights obligations, is the streamlining of investments into strengthening legislative mechanisms. For this purpose, the Caribbean Centre for Legislation (CCL) has been set up, which provides for the training and certification of new legislative lawyers. In September 2020, the CCL started a one-year training program to certify all those attendees to legislation lawyer for the Caribbean. Aruba is linked to this program through the establishment of the Aruba Desk of the Caribbean Center for Legislation by the Ministry of Justice and Social Affairs of Aruba, in cooperation with the University of Aruba. The Ministry of Interior Affairs and Kingdom Relations has financially supported the establishment of the CCL.

Currently, the following legislation exists that supports this objective.

Discriminatory Practices

The prohibition of discrimination is laid down in Chapter I of the Constitution of Aruba (AB 1987 no. GT 1) which states:

> *“• Everyone in Aruba shall be treated equally in equal cases. Discrimination on the grounds of religion, philosophy of life, political affiliation, race, gender, color, language, national or social origin, membership of a national minority, property, birth or any other grounds whatsoever is not permitted.”*

Based on what is laid down in the Constitution, persons should be treated in as equal in every area, and discrimination should not occur, neither in public life nor in the private sphere. Despite the principle of equality of men and women and the prohibition of discrimination laid down in the Constitution, national legislation does not fully make provisions to uphold these principles. Constitutional gender equality does not always mean equality in practice.

Violence Against Women

Articles 2:273 to 2:276 of the APC define as criminal offences all forms of abuse (simple assault, assault with a weapon, and aggravated assault) and state that these offences may be punished by four to twenty-four years of imprisonment. Article 2:277 states that the maximum punishment imposed under the aforementioned articles on abuse are to be increased by one-third if the abuse was committed against the offender’s mother, father, husband or wife, partner, biological child, or foster child. The punishments that may be imposed for abuse are also increased by one-third in the case of an offender who committed the offence against someone entrusted to his care, education, or supervision, as in the case of a teacher, care worker or sports coach. Since 2014, restraining orders can be imposed under APC (currently articles 2:239 and 2:240). A victim of domestic violence can also request the civil court to impose an exclusion or restraining order on the perpetrator.

Childcare

Laws on maternity leave and on breastfeeding are in place for Aruba. Legislation on childcare and day care centers has been approved by parliament.

Human Trafficking

The Aruban Criminal Code was amended in 2006 to include an article on human trafficking, in order to comply with international agreements, including the United Nations Convention Against Transnational Organized Crime (UNTOC) and its Protocols. The UNTOC and its protocols formally came into effect for Aruba on 18 January 2007. A review of the UN Protocol's definition of human trafficking with that of the Aruban Criminal Code's, shows compliance with the obligations outlined therein. This means that Article 286a of the APC (currently articles 2:239and 2:240) meets standards set by the UN Protocol for both adult and child trafficking.

The Aruba Anti-Human Trafficking and Smuggling Taskforce was formed in 2007 as an interdepartmental and interdisciplinary committee to fight human trafficking and migrant smuggling. A National Plan of Action against Human Trafficking 2008–2010 (hereafter the "Plan of Action") was presented in 2008, including initiatives for the education and training of government officials, guidance and support to possible victims, the establishment of a telephone helpline and availability of emergency shelter. In addition, the Taskforce also advocated for changes to relevant laws and regulations.

In June 2008, the first "experts' meeting" on human trafficking in the Kingdom of the Netherlands was held in Aruba, resulting in a Memorandum of Understanding on Human Trafficking in January 2009 signed by the Ministers of Justice of the Netherlands, Sint Maarten, Curaçao and Aruba. In 2011 the Memorandum was revised by the aforementioned countries to elaborate on the nature of the required cooperation and the actions that need to be taken. The Memorandum aims to improve cooperation between countries in the Kingdom and ensure the priority of combating human trafficking and migrant smuggling and is an important additional component to the legal framework.

The sentences with regard to the crime of human trafficking were increased in 2014. The APC also punishes the use of services from someone who is a victim of human trafficking, if it is known that this person is being coerced to provide these services.

There are no provisions in Aruban law that specifically mandate the protection of victims of trafficking. The human trafficking articles (articles 2:239 and 2:240 of the APC) only speaks about offences and not about victims of the crime. There are, however, other laws that may be used to assist victims of trafficking with certain parts of the protection scheme as just mentioned. Additionally, since Aruba has ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN Protocol), there is an obligation to provide victim assistance and to ensure their protection (Art. 6 and 7).

The field of human trafficking is relatively new to Aruba, and several key steps have been taken to demonstrate a commitment in this area. Nonetheless, additional mechanisms are required such as the review of immigration structures and mechanisms, policies on prostitution and the escort business, and to ensure that immigrant workers are visible to government departments. Additional human and financial resources are necessary to optimize Aruba's efforts in prevention, protection and prosecution, and building the capacity of key officials on human trafficking.[50] The development of standard operating procedures (SOPs) is also critical for response and prevention.

Sexual Harassment in the Workplace

Aruba law states that the employer shall ensure that the employee is not exposed to sexual harassment in the workplace. Employers are required to keep the workplace free from harassment by introducing policies and enforcing them. This includes taking every complaint seriously and initiating an investigation.

Harmful Traditional Practices

Female Genital Mutilation (FGM) is punishable under the new Criminal Code of Aruba. The law also regulates the prosecution of nationals in Aruba who commit this offense in a foreign country. Although no cases of FGM have been recorded in Aruba, the government saw the need for such regulation because of the increase in migration worldwide and the possibility that this offence might occur in a foreign country.

50 https://publications.iom.int/system/files/pdf/situational_analysis_aruba_10sep.pdf

Rape and Minimum Age of Consent

The law criminalizes rape, including spousal rape, and domestic violence. The Age of Consent in Aruba is 16 years old. The age of consent is the minimum age at which an individual is considered legally old enough to consent to participation in sexual activity. Individuals aged 16 or younger in Aruba are not legally able to consent to sexual activity, and such activity may result in prosecution for statutory rape or the equivalent local law. In Aruba the penalty for statutory rape is imprisonment not exceeding 15 years or a fine not exceeding 100,000 Aruban florins ($55,250).

Minimum age for marriage

The legal minimum age of marriage is 18. In Aruba there are two exceptions: if the persons concerned are older than 16 and the woman is pregnant or has given birth, or the Minister of Justice in Aruba grants dispensation based on their request. Child marriage is uncommon based on official statistics.

Amendments to the Civil Code

In September 2016, an amendment to the provisions of Book 1 of the Civil Code of Aruba concerning the law of persons and family, was adopted by Parliament. The adapted law regulates several subjects which are relevant to Human Rights conventions including CEDAW and the CRC, namely the law on family name, registered partnerships, corporal punishment and reports on child abuse. Under this amendment, registered partnerships were approved by parliament, which also include provisions for couples of the same sex.
Corporal punishment in schools is explicitly prohibited by Aruban law. The adapted Civil Code prohibits parents from subjecting their children to mental or physical violence or to any other degrading treatment. The new Civil Code further establishes by law an advice and reporting center for child abuse.

Child Abuse

The Convention on the Rights of the Child applies throughout the Kingdom. Each country within the Kingdom has an obligation to ensure respect for human rights within its territory and has its own monitoring institutions for this purpose. In Aruba, child abuse is punishable under the Criminal Code. The penalty for abusing a child can be increased by one-third if the abuser is the child's parent.
In 2014, Aruba adopted the Kingdom wide Action Plan on Children's Rights and in 2016, a Law amending the Civil Code in Aruba modified article 1:247 to include provisions for the appropriate care and upbringing of children, and prohibits neglect, mental or physical violence or any other degrading treatment. The new provisions mirror those in the Civil Code in the Netherlands (Europe) which came into force in 2007.

Child Labour

The government is committed to combating child labor in all its forms. Guidelines have also been introduced to distinguish between light and hazardous work. Light work is permitted for children aged fifteen to seventeen. Hazardous work is prohibited for all minors. The introduction of the Compulsory Education Act added an extra layer of protection. Since 2012, Aruba has also been party to the ILO's Worst Forms of Child Labor Convention.

Labour and Discriminatory Laws

The State Ordinance Sickness Insurance was amended in 2007 to provide all workers who were deemed incapable of performing labor with 80% of their monthly wage where previously non-breadwinners (mostly women) received 70% of their monthly wage. New maternity protection was afforded to women by increasing the paid maternity leave from a total of eight weeks to twelve weeks. The new legislation also provided mothers with paid time off to breast feed or pump breast milk for a maximum of one quarter of her daily hours for the first nine months of the baby's life. Additional protection includes the protection against employer termination of the labor relation due to marriage, pregnancy or giving birth. An employer may also not terminate the employment during the pregnancy leave or the parturition leave. Further, termination is not permissible for a period of six weeks after the woman has resumed work from her parturition or disability related to giving birth or pregnancy. Women are also no longer prohibited from performing night work.

As it regards the employment itself, the Civil Code was amended in 2007 with the introduction of a provision prohibiting gender-based distinctions or discrimination made in the employment contract, instructions of employment, promotions, labor conditions and the termination of the labor contract. Gender-based distinction is only possible when the distinction has a clear intent of protecting women with respect to pregnancy and motherhood, or to place women in an advantageous position to remove or minimize their disadvantage.

Laws on maternity leave and breastfeeding are in place for Aruba, and legislation on childcare and day care centers has been approved by parliament.

National Plans and Programmes

The National Gender Policy is explicitly and implicitly aligned to the Government's national development strategies and frameworks. The visions, objectives and strategic priorities of the following national plans and programmes are therefore integrated within this Policy to facilitate gender mainstreaming across all national planning and policymaking.

The Policy was developed in consultation with key stakeholders and analysis of the following:

— The Aruba SDG Roadmap

— The National Strategic Plan (NSP)

— The COVID 19 Pandemic in Aruba: A Socio-Economic Impact Assessment and Recommendations (SEIA)

— Repositioning Our Sails: Aruba's Mission Driven Model for Economic Recovery and Resilience (2020)

— Aruba Economic Policy 2019 – 2022

— Sectoral Policies, including the National Education Plan (PEN), The National Plan to protect nature and environment, and the Social Crisis Plan

— Kingdom Organ for Reform and Development Country Program (COHO) and the CAFT

Regional Inclusion

Aruba is an associate member of the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), and the Association of Caribbean States (ACS).

SECTION 2

STRATEGIC FRAMEWORK

2.1 Vision

To mainstream and align gender equality and women's empowerment within aruba's development strategy and within policy in general and in particular in implementation of the sdg roadmap, nsp, economic recovery model and kingdom organ for reform and development country program.

2.2 Goal

To create an enabling environment for gender equality and women's empowerment across all sectors of Aruba's society and economy, to build back better and equal from COVID-19.

2.3 Policy Objectives

1. Strengthen systems and capacities to overcome structural barriers that impede gender equality and transform gender relations at all levels, including by countering gender stereotyping.

2. Increase decent work opportunities, strengthen capacities for entrepreneurship and employment.

3. Enhance access to justice and quality services regarding gender-based discrimination and violence.

4. Strengthen quality gender-sensitive health and nutrition services and education to women and girls, including the protection of sexual and reproductive health and rights.

SECTION 3

POLICY MEASURES

STRATEGIC PILLARS AND INITIATIVES

The policy objectives are outlined below, highlighting actions which will be critical to best achieve the objectives.

3.1 Strengthen systems and capacities to overcome structural barriers that impede gender equality and transform gender relations at all levels.

Ensuring gender equality and women's empowerment are mainstreamed across national planning, national legislation, high-level decision-making and cross-sectoral interventions requires a high-capacity and well-resourced institutional mechanism. Implementing the recommendations of the Beijing Platform for Action, this demands the development of a Gender Bureau to oversee, advise and monitor progress towards gender equality and ensure gender mainstreaming across all development policies. Positioning this Gender Bureau as a high-level entity provides the political power and cross-sectoral reach for gender mainstreaming across all government operations, policies and strategies. Coordinating and scaling the work of the Centro di Desaroyo di Hende Muher (Center for the Development of Women, CEDEHM), with high-level participation and strengthened human and financial resources, better allows gender considerations to be taken across all Ministries and integrated into all development policies and programmes. Strong collaboration with the private sector, women's organisations, non-governmental organisations, faith-based organisations, the media and academia also allows for cross-sectoral integration, better coordination and enhanced monitoring of progress towards gender equality.

Aruba is committed to non-discrimination on the basis of sex, gender, race, creed, sexual orientation or any other attribute/dimension. Discrimination on the basis of sex or gender creates gender inequalities that obstruct women's full economic, social and political participation. Simultaneously, harmful intersections of multiple forms of discrimination such as sexism, classism, ethnic bias, or racism create distinct and worsened vulnerabilities for women and men, particularly those in marginalised groups such as the LGBTQ+ community, persons with disabilities or migrant women. These prejudices and stereotypes are often subtly reinforced in the media with detrimental effects to the security and welfare of the most marginalised. Ensuring the equal participation and opportunity of all individuals requires a reaffirmed commitment to non-discrimination across all institutions, laws, and policies, and strengthened efforts to combat the harmful norms and stereotypes that negatively affect marginalised groups. An intersectional approach is critical to understanding and combatting the layered and dynamic forms of discrimination people face.

In addition to a thorough understanding of discrimination, reliable, relevant, and timely statistics are essential to evidence-based policy making and programme design. Sex-disaggregated data and gender statistics are critical to building policies and programmes that enhances women and men's social and economic resilience. Without an accurate understanding of the situation of women and girls, compared to men and boys, policy risks being gender-blind and at best, ignoring, and at worst, worsening women and girls' circumstances. Mandating and training national institutions to collect, analyze and use gender statistics enables women and girls to be included in national planning, budgeting, and strategizing to promote inclusive and equitable development and sustainable progress, as outlined in Aruba's Economic Recovery and Resilience Model, the SDG Roadmap and the National Strategic Plan. Maintaining a gender lens means that data must be collected across institutions and sectors, especially with respect to unpaid care and gender-based violence.

Strategic Initiatives:

Gender Mainstreaming and Institutional Strengthening

- Assess current institutional framework to be able to address gender equality across the board.
- Assess and update existing policies and laws to ensure non-discrimination lies across all legislation.
- Conduct training with policymakers on gender equality and gender mainstreaming, including gender-responsive procurement and budgeting.
- Review and strengthen support services for marginalized groups, to ensure equal opportunity.
- Review and strengthen the human and financial resources of the national Gender Bureau to facilitate inter-ministerial reach, programmatic support to women and technical expertise for gender mainstreaming across all government policies and operations.
- Conduct an assessment, including recommendations, of the social insurance and social protection frameworks to ensure that those who are most marginalised, including the elderly, people with disabilities and those in the informal economy, are able, and incentivized, to be sufficiently covered.

Combatting Harmful Gender Norms and Stereotypes

- Work with the media and cultural industries and develop public-private partnerships to develop and implement sensitization efforts to combat harmful gender norms among the public, especially in schools. The campaign should focus on multiple and intersecting forms of discrimination including those most marginalised i.e. people with disabilities, LGBTQ+ and migrants.
- Collaborate with, and strengthen the capacity of, faith based and civil society organisations to combat harmful gender stereotypes and better support women and girls and other marginalised groups.

Strengthening the Collection, Analysis and Use of Gender Statistics

- Support the development of tools to monitor and encourage women's participation in public and private sector decision-making positions and equal representation at all hierarchical levels.
- Conduct a public Knowledge, Attitude, Behaviour and Perception (KABP) study on gender equality and gender stereotypes, including a particular focus on targeted groups such as primary and secondary school educators.
- Collaborate with educational/academic institutions, research organizations in order to share and execute pioneering research and statistical models and instruments to enhance the knowledge of, and ability to use, data among Government, policymakers, researchers, journalists, civil society and academia.

Alignment with SDG Roadmap and NSP:

Pillar 1: Quality of Life and Well-being; Pillar 7: Strengthen Institutional Quality and Capacity; Pillar 8: National Statistical System; Pillar 9: Aruba as a Model for Sustainable Development.

Alignment with SDGs: SDG 1:

No Poverty, SDG 5: Gender Equality, SDG 10: Reduced Inequalities; SDG 16: Peace, Justice and Strong Institutions; SDG 17: Partnerships for the Goals.

Partners:

Ministry of Justice and Social Affairs, Ministry of Energy and Labor, Ministry of Economic Affairs, Communications, and Sustainable Development Ministry of Finance, Economic Affairs and Culture, Fundacion Contra Violencia Relacional (FCVR), Media, Non-Governmental organisations (NGOs) and women's organisations, Private Sector Associations and Companies, Faith Based Organizations and Civil Society Organizations, University of Aruba, United Nations (UN) Agencies.

3.2 Increase decent work opportunities; strengthening capacities for entrepreneurship and employment.

Women's economic empowerment is the key to achieving resilient livelihoods, enhancing women and men's wellbeing and standard of living, and unlocking women's productive capacities to propel national development. Yet the COVID-19 pandemic devastated the livelihoods of a disproportionate number of women risking the further feminization of poverty and regression on hard-earned gains towards women's empowerment. Enhancing women's resilience will bolster national recovery efforts and make Aruba better placed to unlock new economic opportunities to build back better and equal. Gender equality and women's empowerment is both a tool for, and an objective of, sustainable development and central to achieving the inclusive economic modernization and reform outlined in Aruba's 2020 Economic Recovery and Resilience Model. While significant progress has been made, work remains to be done to ensure all women in Aruba have equitable access to new economic opportunities. Inclusive of both the formal and informal economies, this policy therefore prescribes affirmative action to expand opportunities and strengthen women's skills and capacities for employment and entrepreneurship.

Achieving women's economic empowerment requires addressing the disproportionate unpaid domestic and care burden on women that hinders their capacity for paid employment, contributes to women's time poverty and significantly undermines their wellbeing. This requires enhancing social insurance and social protection systems to recognize and redistribute women's eldercare, childcare and domestic work burden and provide better gender-responsive protections for the most marginalized, including the elderly and persons with disabilities. This also demands updating labour laws to safeguard decent work, ensure equal opportunity and promote a healthy work-life balance for women and men, particularly in the wake of COVID-19.

Education is one of the most important investments in a nation's human capital and critical to building economic resilience. While in Aruba, women and girls' participation in education is generally high, particular focus must be placed on encouraging women and girls in Science, Technology, Engineering, Arts and Mathematics (STEAM) subjects. Encouraging and supporting women and girls to pursue education or training in traditionally male-dominated sectors such as engineering, or ICT ensures that they can tap into high-growth sectors and industries and contribute creative innovations to national priority sectors. Quality education must also include a strong focus on boys to ensure they are attending school and receiving suitable knowledge, skills and opportunities, as students and throughout their entire lives through life-long learning opportunities. Attention must be paid to include and reduce the number of persons who have dropped out of school and youth who are not in education, employment, or training (NEET). In 2016, approximately 15% of youth (aged 15-24) were considered NEET[51]. Creating life-long learning and training environments outside of formal/traditional educational institutions is critical to developing fit-for-purpose labour forces and ensuring no one is left behind.

Strategic Initiatives:

Gender-Responsive Social Protection, Social Insurance Labour Laws

- Strengthen capacity to recognize and measure time spent on unpaid care (SDG 5.4.1).
- Review social protection frameworks to recognize and potentially redistribute the unpaid care burden (subsidized childcare, parental leave and eldercare)
- Review social insurance framework to ensure benefits are gender-responsive and protect decent work and work-life balance for all, considering those in the informal economy, and provide incentives for formalization.
- Complete assessment followed by costing and budgeting framework for cash transfer programme.
- Assess and enforce laws to provide equal pay for work of equal value and look beyond wages to implement flexible working arrangements, training opportunities, performance benefits, etc. that create equitable opportunities for women and promote a healthy work-life balance for all.
- Review and update legislation and policies on minimum wage and decent work.

51 Central Bureau of Statistics, 2019. Statistics Trends: labour Force of the Dutch Caribbean. Available at: https://cbs.aw/wp/wp-content/uploads/2019/02/2019ST08-Labour-force-Dutch-Caribbean-islands_WEB.pdf

Increasing Access to Capital and Productive Resources

- Promote investment in initiatives and financing instruments that support women entrepreneurs, particularly in tourism-related sectors and growth sectors to diversify the economy, through private-public partnerships and innovative financing models.
- Assess and reform legislation and policies to remove barriers and roadblocks to women's access to capital including the development of appropriate lending packages and criteria, and suitable insurance packages that attend to women's distinct risks and vulnerabilities.
- Adapt existing sectoral policy plans and economic development plans to mainstream gender.

Strengthening Business Capacities Among Adults and Youth

- Review school curriculum to remove harmful gender stereotypes, promotes gender equality and encourages learning that is impactful for all persons.
- Develop programmes and campaigns to promote girls' participation in STEAM fields.
- Integrate key learning and skills development in ICT across the entire curricula to prevent the exclusion of women and girls in ICT.
- Provide/resource continuous training and re-skilling opportunities to adults and youth with emphasis on ICT, financial management, marketing, and the green/blue economies in line with the vision to diversify the Aruban economy. Attention should be paid to targeting and including women entrepreneurs and migrant women, particularly in tourism-related sectors and growth sectors.

Alignment with SDG Roadmap and NSP:

Pillar 1: Quality of Life and Well-being; Pillar 2: Youth Empowerment; Pillar 4: Entrepreneurship and Business Environment; Pillar 6: Sustainable Tourism; Pillar 8: National Statistics System; Pillar 9: Aruba as a Model for Sustainable Development

Alignment with SDGs: SDG 1:

No Poverty, SDG 4: Quality Education; SDG 5: Gender Equality, SDG 8: Decent Work and Economic Growth; SDG 9: Industry, Infrastructure, and Innovation; SDG 16: Peace, Justice and Strong Institutions

• Partners:

Department of Economic Affairs, NFIs, Chamber of Commerce, Trade Unions, MDA managing cash transfer programme, Ministry of Justice and Social Affairs, Ministry of Energy and Labor, Ministry of Economic Affairs, Communications, and Sustainable Development, Central Bureau of Statistics, Private Sector Associations and Actors, Schools and Universities, UN Agencies.

3.3. Enhance access to justice and quality services related to gender-based discrimination and violence.

Gender-based violence (GBV), remains one of the biggest obstacles to women's security and wellbeing. GBV is rooted in unequal gender norms, power differentials and harmful socio-cultural stereotypes that create and reproduce unequal structures, discriminatory systems and violent behaviours that hinder women's economic, physical and social security and autonomy. Preventing and combatting GBV requires addressing gender norms and stereotypes, including those around masculinity, and providing comprehensive (psychosocial, health, legal and economic) support resources for survivors. Providing support for survivors of GBV requires gender-responsive psycho-social and health (including sexual and reproductive health) services, strong workplace policies, appropriate policing, robust referral pathways, adequate shelters (including for youth under the age of 18 who are currently prohibited), robust emergency resources and a firm legal system to punish and rehabilitate perpetrators. These services and systems must also be accessible to refugees and migrants who are survivors of GBV or victims of trafficking. This requires an all-of-community approach, inclusive of legislative enhancement, private sector participation, NGO capacity-building and gender-responsive judicial and police operations.

Strategic Initiatives:

Strengthening Knowledge and Capacities for Quality Essential Services

- Complete violence against women and girls' prevalence survey in order to gain information on all types of GBV (domestic, sexual, harassment, etc.).
- Map all essential services for GBV survivors, especially intimate partner violence, child sexual assault and human trafficking.
- Conduct regular gender-responsive training with the police, health service and judiciary to be able to better handle cases of domestic violence, gender-based violence, child sexual assault and human trafficking, including special considerations for the unique vulnerabilities of refugee and migrant survivors.
- Support digitization and the establishment of standard operating procedures (SOPs) across all essential services.
- Coordinate and strengthen referral pathways for survivors of gender-based violence, child sexual assault, and human trafficking including a robust follow-up system for reported cases.
- Develop private and public sector guidance and training toolkits, and strengthen national policies on workplace violence and harassment, to require the inclusion of regular training, support resources and discrete protocols for reporting, bolster implementation and increase the cost of non-compliance.
- Develop social accountability frameworks.
- Develop a gender-based violence and/or domestic violence policy and action plan to reduce the prevalence of violence, standardize reporting, provide robust support to survivors, and increase prosecution rates, including provisions for the unique vulnerabilities of refugee and migrant survivors.

Establishing Key Prevention Strategies

- Conduct targeted batterer intervention programmes to support the rehabilitation of perpetrators.
- Conduct targeted interventions with vulnerable persons (particularly youth) at greater risk of perpetrating violence, including psycho-social support for anger management, healthy relationships and conflict resolution, to prevent further violence against women and girls.

Alignment with SDG Roadmap and NSP:

Pillar 1: Quality of Life and Wellbeing; Pillar 2: Youth Empowerment; Pillar 4: Entrepreneurship and Enabling Business Environment; Pillar 7: Strengthen Institutional Quality and Capacity; Pillar 8: National Statistical System.

Alignment with SDGs: SDG 3:

Good Health and Wellbeing; SDG 5: Gender Equality; SDG 8 : Decent Work and Economic Growth; SDG 11: Sustainable Cities and Communities; SDG 16: Peace, Justice and Strong Institutions.

Partners:

Ministry of Justice and Social Affairs, Ministry of Economic Affairs, Communications, and Sustainable Development, Ministry of Energy and Labor, Aruba Police Force, healthcare providers, NGOs, women's organisations, Chamber of Commerce, private sector associations, UN Agencies.

3.4 Provide quality, gender-sensitive, health and nutrition services and education, especially to women and girls, members of the LGBTQ+ community and other marginalised groups, including the protection of sexual and reproductive health and rights.

Gender-sensitivity in healthcare is critical to ensuring all persons can and do access essential healthcare services regularly. Providing and promoting quality sexual and reproductive health services and psycho-social support is critical to securing women's bodily autonomy, physical and mental wellbeing, and dignity. Ensuring all persons have sound nutritional education reduces the prevalence of cancers and non-communicable diseases (NCDs) that shorten lifespans and/or quality of life. Quality mental health services are also pivotal to ensuring that persons are supported and equipped to handle obstacles, including those posed by COVID-19, and have the tools and support to resist violence that can result from mental health strains such as heightened anxiety, or depression.

While all citizens of Aruba have access to healthcare through universal health insurance, a gender-responsive approach to healthcare services is required to better investigate and address the gender health disparities that see men more likely to die of non-communicable diseases or commit suicide[52], for example. It is also necessary to further minimize teenage pregnancies and provide women with the services and health education to ensure their bodily autonomy and provide critical support if this is violated. Healthcare campaigns and the design of health services, including mental health services, must both appeal and be responsive to the gendered experiences of Arubans. A gender-responsive approach will help to ensure that the country's universal healthcare is utilized based on the needs of all and reaps even greater benefits for the wellbeing of Arubans. Enhancing accessibility of migrants, document or undocumented, to gender-responsive essential health services is also critical.

Strategic Initiatives:

Gender-Responsive Health Services

- Assess and strengthen healthcare services and legislation to protect women's bodily autonomy and sexual and reproductive health rights.
- Strengthen healthcare services with gender-responsive training to meet the needs and concerns of all persons, including those from marginalised groups such as the LGBTQ+ community.
- Assess public drug formulary to ensure non-discrimination and appropriateness for addressing key gendered health trends and the needs of all persons, including marginalized groups.
- Complete assessment on barriers to men's use of healthcare services.
- Develop and implement a programme for men and boys to encourage use of healthcare services (informed by findings of the prior assessment).
- Strengthen support resources for single mothers and teenage parents, including economic empowerment opportunities, childcare, and educational/training opportunities.
- Develop online/digital mental health resources (online drop-in clinics, hotlines, toolkits, and activities) to promote public wellness and provide interactive tools for managing stress/activities.
- Assess and implement ways of better providing gender-responsive health services to migrants, both documented and undocumented.

Enhanced and Gender-Responsive Health and Nutrition Education

- Integrate gender-sensitive and age-appropriate health, including mental health and sexual and reproductive health and rights, social and emotional health, and nutrition education into school curricula.
- Develop a gender-responsive sensitization campaign to promote healthy lifestyles to prevent non-communicable diseases (NCDs) among adults, youth and children, highlighting the varied prevalence and effects of NCDs on different groups (e.g. men, women marginalized groups etc.)
- Conduct a gender-sensitive mental health campaign in collaboration with the private sector to promote wellness, work-life balance, techniques for managing stresses/anxieties, and mental health resources available, and combating harmful perceptions around toxic masculinity.

52 Department of Public Health, Population Registry Office, and the Central Bureau of Statistics.

Alignment with SDG Roadmap and NSP:

Pillar 1: Quality Health and Wellbeing; Pillar 2: youth Empowerment; Pillar 9: Aruba as a Model for Sustainable Development.

Alignment with SDGs:

SDG 3: Good Health and Wellbeing; SDG 4: Quality Education; SDG 5: Gender Equality; SDG 6: Clean Water and Sanitation; SDG 16: Peace, Justice and Strong Institutions.

Partners:

Ministry of Tourism, Public Health and Sports, Ministry of Justice and Social Affairs, Ministry of Energy and Labor, Ministry of Economic Affairs, Communications, and Sustainable Development , Healthcare Providers, Media, Private Sector, UN Agencies.

SECTION 4

INSTITUTIONAL FRAMEWORK

4.1 . Institutional Mechanism

The Beijing Declaration and Platform for Action represents a firm strategy and blueprint for achieving gender equality. Existing alongside the CEDAW, these legal instruments provide definitive and clear commitments for governments to implement national and sub-national legislation, policies, strategies, institutions and frameworks to achieve gender equality and women's empowerment. The Beijing Declaration points to Gender Bureaus as organs and institutions responsible for achieving gender equality across the government and nation.

The Beijing Declaration tasks Gender Bureaus with facilitating the formulation and implementation of government policies on gender equality, developing appropriate strategies and methodologies for gender equality and women's empowerment, and promoting coordination and cooperation within the Government for mainstreaming of a gender perspective in all policy-making processes. As such, the Gender Bureau should establish cooperative relationships across all government ministries and with national, regional and international bodies, undertake legal reform to enhance gender equality across all sectors and spheres of life, challenge harmful gender norms, support gender mainstreaming across all national planning and policymaking, and promote the enhanced participation of women as both active agents and beneficiaries of development. In order to fulfil these obligations, a strong institutional mechanism is required, which possess the human, financial and technical capacity, political reach and high-level influence to achieve these objectives.

On September 24, 2013, the Ministry of Justice and Social Affairs established Centro di Desaroyo di Hende Muher (Center for the Development of Women, CEDEHM) as the government department designed to improve the position of women in Aruba through coordinated initiatives, government advisory (on its own initiative and upon request), policy engagement and social support for women. CEDEHM is set out to function as the point of contact on gender issues for all national organizations and to guide the implementation of CEDAW recommendations. The work of the organization is set out to include researching, reporting, advising, and strategizing to improve the conditions of women in Aruba across all policy and sector areas. To effectively deliver on this mandate, it has been noted that increased financial and human resources with the required competencies are pivotal.

CEDEHM has put great effort and contributed to current advances towards gender equality in Aruba, including through its involvement in the development of this gender policy. Unfortunately, limited financial and human capacity, technical expertise, and lack of high-level participation, has limited its potential for strategic positioning, policy development, legal reform and sustained high-level engagement across all sectors and areas. The 2016 CEDAW Concluding observations on the sixth periodic report of the Kingdom of the Netherlands therefore concluded that:

"The Committee is concerned at the lack of a unified strategy and policy for the implementation of the Convention among the different parts of the Kingdom. While noting the existence of a Gender Bureau in Aruba it expresses concern that they are anchored at too low a governmental level. The Committee calls for the development and enactment of a unified, comprehensive and overarching national strategy and implementation of the Convention throughout the Kingdom of the Netherlands (Recommendations 18 and 19)".

Upon this recommendation, and aligned to fulfilling the objectives and strategic initiatives of this policy, it is therefore recommended that:

1) The mandate of the Gender Bureau should be evaluated and strengthened to provide a clear strategic direction, inclusive of policy work, gender mainstreaming across national planning, social support and advocacy.

2) A high-level committee should be established to oversee, advise, monitor, and evaluate the operations and results of Gender Bureau. This committee should include at least one member of government, the head of CEDHEM and the director of the Central Bureau of Statistics amongst others.

3) The financial and human resources of the Gender Bureau should be expanded to ensure it is able to fulfill its mandate, the objectives outlined in the Beijing Platform for Action and the goal of this National Gender Policy.

4) The Gender Bureau should be equipped with in-house legal and policy expertise and appropriate technical training for staff to ensure gender mainstreaming across all national planning and policymaking.

5) The Gender Bureau should work in close collaboration with the Central Bureau of Statistics to facilitate the collection, analysis, and use of gender statistics across national planning and policymaking, and to provide key data for monitoring and evaluation of Aruba's progress towards gender equality, guided by the SDG and CEDAW indicators.

6) Gender focal points should be established across all government ministries to facilitate cross-sectoral collaboration and gender mainstreaming.

7) The Gender Bureau should work collaboratively across the civil and private sector to promote gender equality, coordinate efforts, and advise actors as needed.

8) The Gender Bureau should lead the implementation and evaluation of the Gender Policy Action Plan, including fulfilling all monitoring and evaluation (M&E) requirements (particularly at the Outcome and Output level) and ensuring other lead agencies and implementing partners are also meeting M&E requirements, providing frequent evaluations subject to oversight by the Gender Steering Committee and made available to key stakeholders.

9) The Gender Bureau should lead all CEDAW reporting requirements to ensure timely and accurate representation to fulfil international reporting obligations.

10) The Gender Bureau should have a strong monitoring and evaluation framework, including regular reporting, to ensure appropriate budgetary resources and support are provided to fulfill its mandate.

4.2 Matrix of Responsibilities

Each policy measure outlined above provides a list of key actors necessary for its implementation. A matrix of responsibilities, outlining the specific roles, responsibilities and linkages between key actors (per outcome and output) is outlined in the Monitoring and Evaluation (M&E) Framework and Gender Equality Action Plan accompanying this Gender Policy.

SECTION 5

ACTION PLAN AND MONITORING AND EVALUATION (M&E) FRAMEWORK

To implement this Gender Policy, a Gender Equality Action Plan has been developed to outline the key strategies, practical steps, and key actors involved to pursue the policy objectives herein outlined. Additionally, a M&E Framework has been developed to define the proposed outcomes, outputs, and activities necessary to achieve the vision, goal and objectives of the Gender Policy and Gender Equality Action Plan. The M&E Framework also provides indicators for the critical monitoring and measurement of progress and impact. Employing a comprehensive Action Plan and M&E Framework is essential to achieving the gender equality gains described here, and to ensuring the strategy remains structured, yet flexible, to best cater to the changing needs and circumstances of all persons in Aruba. (Addendum)

Section 5: Action Plan and Monitoring and Evaluation (M&E) Framework

SECTION 6

RESOURCE REQUIREMENTS (FINANCING)

A budget will accompany this Policy to facilitate the implementation of the strategies outlined herein once the Gender Machinery Regional Project which includes Aruba, is completed.

Section 6: Resource Requirements (Financing)

ARUBA
NATIONAL GENDER POLICY

SUSTAINABLE DEVELOPMENT GOALS

UN WOMEN
United Nations Entity for Gender Equality and the Empowerment of Women

GOVERNMENT OF ARUBA

5
GENDER
EQUALITY